

THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI

UNITED STATES OF AMERICA, <u>ex rel.</u>)	
Cori Rigsby, et al.,)	
)	
Plaintiff,)	Civil No. 1:06cv433WJG-JMR
)	
v.)	
)	
STATE FARM INS. CO., et al.)	
)	
Defendants.)	
)	

**NOTICE OF THE UNITED STATES THAT
IT IS NOT INTERVENING AT THIS TIME**

By Order dated August 7, 2007, the Court indicated that the Government must make its election regarding intervention on or before January 31, 2008, and it has indicated to the United States that no further extensions of time would be permitted. The Government's investigation has not been completed, as certain potentially relevant information has not become available. As such, the United States is not able to decide, as of the Court's deadline, whether to proceed with the action. Accordingly, the United States hereby notifies the Court that it is not intervening at this time.

However, under 31 U.S.C. § 3730(c)(3), the United States retains the right to intervene in this case at any time "upon a showing of good cause," and the Government's investigation of and attention to this case will continue.

Although the United States is not intervening at this time, it respectfully refers the Court to 31 U.S.C. § 3730(b)(1), which allows the relators to maintain the action in the name of the United States; providing, however, that the "action may be dismissed only if the court and the Attorney General give written consent to the dismissal and their reasons for consenting." Id.

Therefore, the United States requests that, should either the relators or the defendants propose that this action be dismissed, settled, or otherwise discontinued, this Court solicit the written consent of the United States before ruling or granting its approval.

Furthermore, pursuant to 31 U.S.C. § 3730(c)(3), the United States requests that all pleadings filed in this action be served upon it; the United States also requests that orders issued by the Court be sent to the Government's counsel. The United States reserves its right to order any deposition transcripts and to intervene in this action, for good cause, at a later date.

A proposed order is being furnished to the court.

Respectfully submitted,

JEFFREY S. BUCHOLTZ
Acting Assistant Attorney General

DUNN O. LAMPTON
United States Attorney
Southern District of Mississippi

Dated: January 31, 2008

/s Al Jernigan
ALFRED B. JERNIGAN, JR.
Chief, Civil Division
FELICIA ADAMS
Assistant United States Attorneys
188 East Capitol Street, Suite 500
Jackson, MS 39201
Telephone: (601) 965-4480
Fax: (601) 965-4409

JOYCE R. BRANDA
PATRICIA R. DAVIS
JAY D. MAJORS
Attorneys, Department of Justice
Civil Division
Post Office Box 261
Ben Franklin Station
Washington, DC 20044
Tel: (202) 307-0264
Fax: (202) 514-0280

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing United States' Notice of the United States That it Is Not Intervening at this Time has been sent via electronic service, to the party noted below, on January 31, 2008.

Counsel for Relators

Anthony DeWitt, Esq.
Bartimus, Frickleton, Robertson & Gorny
715 Swifts Highway
Jefferson City, MO 65109
573/659-4454

/s Al Jernigan
ALFRED B. JERNIGAN, JR.
Assistant United States Attorney
Chief, Civil Division
188 East Capitol Street, Suite 500
Jackson, MS 39201
Telephone: (601) 965-4480
Fax: (601) 965-4409